

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

TALISA BORDERS, et al.,

Plaintiffs,

v.

WAL-MART STORES, INC.,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)

Case No. 3:17-cv-506-MJR-DGW

**ORDER**

**WILKERSON, Magistrate Judge:**

On March 16, 2018, a discovery dispute conference was held with respect to Plaintiffs' requests to produce that were served on November 7, 2017. At the conference, Defendant represented that it was producing documents on a rolling basis in light of the number of documents that are responsive or potentially responsive. While Plaintiffs do not appear to have an objection to such a procedure, they object to the timing of the disclosures. Defendant represented that it now has between 150,000 and 160,000 documents to review for relevancy and privilege and that it will be able to produce these document within 30 days.

Defendant is hereby **DIRECTED** to produce the remainder of the responsive documents on a weekly basis with the batches due on March 23, 2018, March 30, 2018, April 6, 2018, and April 13, 2018. The batches shall be equivalent in size: the Court does not expect Defendant to "dump" a majority of the documents on the final day of production. In order to facilitate the review of these documents and provide some relief in the schedule, the following shall govern this action:

1. Plaintiff(s) depositions shall be taken by **July 13, 2018**.
2. Defendant(s) depositions shall be taken by **July 13, 2018**.

3. Expert witnesses for Class Certification, if any, shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:

Plaintiff(s) expert(s): July 27, 2018.

Defendant(s) expert(s): July 27, 2018.

Rebuttal expert(s) or report(s): August 17, 2018.

4. Depositions of Class Certification expert witnesses must be taken by:

Plaintiff(s) expert(s): September 28, 2018.

Defendant(s) expert(s): September 28, 2018.

Rebuttal expert(s) or report(s): September 28, 2018.

5. Plaintiff(s) Motion for Class Certification and Memorandum in Support shall be filed by **November 5, 2018.** All Daubert motions related to class experts also shall be filed by this date. It is unlikely that this date will be extended absent an extension of the trial date.
6. Defendant(s) Memorandum in Opposition to Class Certification shall be filed by **December 7, 2018.**
7. Plaintiff(s) Reply Memorandum, if any, must be filed by **December 31, 2018.**
8. The Class Certification hearing, if any, will be set by separate notice.
9. The Settlement Conference is **RESET to August 22, 2018 at 9:00 a.m.** in the East St. Louis Federal Courthouse before Magistrate Judge Donald G. Wilkerson.

All other requirements, deadlines and hearing dates contained in the Scheduling Order (Doc. 71) shall remain as set.

The parties are reminded that they may modify the dates in this Order by agreement consistent with Federal Rule of Civil Procedure 29 with the exception that motion filing deadlines may not be modified absent Court Order. The parties are encouraged to promptly bring to the Court's attention any future discovery disputes. The disputes shall be handled by telephone to the

extent practicable. If the parties believe that a sooner or later settlement conference date would be beneficial, they may contact chambers.

**DATED: March 21, 2018**



**DONALD G. WILKERSON**  
**United States Magistrate Judge**